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District Counsel

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry St.
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC No.: WW-5

Date: November 16, 2017

Time: 9:30 a.m.

Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13

Judge: Honorable René Lastreto II

**EXHIBITS TO MOTION FOR ENTRY OF AN ORDER (1) DIRECTING AND
APPROVING FORM OF NOTICE OF COMMENCEMENT; (2) SETTING DEADLINE
FOR FILING OBJECTIONS TO PETITION; and (3) FOR RELIEF UNDER CHAPTER 9**

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| <u>Exhibit</u> | <u>Description</u> | <u># of Pages</u> |
|----------------|--|-------------------|
| A | [PROPOSED] ORDER DIRECTING AND APPROVING FORM OF NOTICE OF COMMENCEMENT AND SETTING DEADLINE FOR FILING OBJECTIONS TO CHAPTER 9 PETITION | 3 |
| B | [PROPOSED] NOTICE OF COMMENCEMENT OF CHAPTER 9 CASE | 4 |

Dated: October 31, 2017

WALTER WILHELM LAW GROUP,
a Professional Corporation

By: 

Riley C. Walter, Attorneys for Debtor,
Tulare Local Healthcare District

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Time: 9:30 a.m.
Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Judge: Honorable René Lastreto II

**ORDER DIRECTING AND APPROVING FORM OF NOTICE OF COMMENCEMENT
AND SETTING DEADLINE FOR FILING OBJECTIONS TO CHAPTER 9 PETITION**

At Fresno, Eastern District of California:

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EXHIBIT A of 3
Page 1 of 3

1 Upon consideration of the Motion for Entry of an Order (1) Directing and
2 Approving Form of Notice; and (2) Setting Deadline for Filing Objections to Petition (the
3 " Motion"), filed by Tulare Local Healthcare District, dba Tulare Regional Medical Center
4 ("TRMC"), the Court finding that Notice of the Motion was reasonable and appropriate
5 under the circumstances, and the Court determining that the relief requested in the
6 Motion is appropriate and in the best interests of the creditors and parties in interest in
7 this case,

8 IT IS HEREBY ORDERED THAT:

9 1. The form of Notice of the Commencement of Case (the "Notice"), attached
10 hereto, is approved;

11 2. The requirements of Bankruptcy Code § 923 are satisfied by service of the
12 Notice by first class mail on the United States Trustee and all entities identified on the
13 List of Creditors filed by TRMC pursuant to Bankruptcy Code § 924, and by publication
14 of the Notice once a week for at least three consecutive weeks in each of the *Visalia*
15 *Times-Delta* and *The Bond Buyer*;

16 3. The Clerk of the Court is directed to mail the Notice to all creditors listed
17 on TRMC's List of Creditors filed pursuant to section 924 of the Bankruptcy Code;

18 4. As more particularly described in the Notice, the deadline for filing
19 objections to the petition under Bankruptcy Code § 921(d) is 5:00 p.m. Pacific time on
20 December 22, 2017 (the "Objection Deadline");

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EXHIBIT A

Page 2 of 3

1 5. The Court will conduct a status conference on January 11, 2018 at 9:30
2 a.m. Pacific time, at which time the Court will consider setting other dates; and whether,
3 if no objection is filed, to enter an order for relief.

4 Submitted by:
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7 _____
8 Riley C. Walter
9 Attorney For Debtor,
10 Tulare Local Healthcare District
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21 IT IS SO ORDERED.
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23 Dated: November ___, 2017

24 Honorable René Lastreto II
25 Judge of the United States Bankruptcy Court
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EXHIBIT A
Page 2 of 2

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EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
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Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry Street
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

NOTICE OF COMMENCEMENT OF
CHAPTER 9 CASE

TO ALL CREDITORS OF TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER, AND TO PARTIES IN INTEREST.

PLEASE TAKE NOTICE THAT:

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EXHIBIT

Page 1 of 4

1 COMMENCEMENT OF CHAPTER 9 CASE. On September 30, 2017, Tulare
2 Local Healthcare District dba Tulare Regional Medical Center ("TRMC") commenced a
3 case under Chapter 9 of title 11 of the United States Code (the "Bankruptcy Code") in
4 the United States Bankruptcy Court for the Eastern District of California, Fresno Division
5 (the "Court"). The Chapter 9 case is pending before the Honorable René Lastreto II,
6 United States Bankruptcy Judge. All documents filed with the Court are available for
7 inspection via the PACER (Public Access to Court Electronic Records) system, which
8 may be accessed on a subscription basis at the following internet address:
9 www.caeb.uscourts.gov. In order to access PACER, parties will first need to register
10 as a user. For information regarding how to register for a PACER account, the costs
11 involved in accessing information, and other information, interested parties should visit
12 www.pacer.gov.

13 AUTOMATIC STAY. Pursuant to 11 U.S.C. §§ 362 and 922, the filing of TRMC's
14 Chapter 9 petition operates as an automatic stay of actions against TRMC, including,
15 among other things, the enforcement of any judgment, any act to obtain property from
16 TRMC, any act to create, perfect, or enforce any lien against property of TRMC, any act
17 to collect, assess or recover a claim against TRMC, and the commencement or
18 continuation of any judicial, administrative, or any other action or proceeding against
19 TRMC or against an officer or director of TRMC that seeks to enforce a claim against
20 TRMC.

21 PURPOSE OF THE CHAPTER 9 FILING. Chapter 9 of the Bankruptcy Code
22 provides a means for a municipality, such as TRMC, that has encountered financial
23 difficulty to work with its creditors to adjust its debts. The primary purpose of Chapter 9
24 is to allow the municipality to continue its operations and its provision of services while it
25 adjusts or restructures creditor obligations. In a Chapter 9 case, the jurisdiction and
26 powers of the bankruptcy court are limited such that the Court may not interfere with
27 any of the political or governmental powers of TRMC, or TRMC's use or enjoyment of
28 any income-producing property. TRMC intends to propose a plan for the adjustment of

1 its debts. Future notice concerning any such plan will be provided to all known creditors.
2 During the bankruptcy case, TRMC will remain in possession and control of its property,
3 and will maintain its operations for the benefit of the public.

4 **DEADLINE FOR OBJECTIONS TO PETITION AND ENTRY OF AN ORDER**

5 **FOR RELIEF.** Objections to the Chapter 9 petition may be filed by a creditor or party in
6 interest by no later than December 22, 2017. If you are an authorized user of the
7 Court's CM/ECF system, any such objection shall be filed via the Court's CM/ECF
8 system. If you are not an authorized user of the Court's CM/ECF system, a written
9 objection must be sent by means calculated to reach the Court no later than December
10 22, 2017 at the following address: The Clerk of the United States Bankruptcy Court for
11 the Eastern District of California, Fresno Division, 2500 Tulare Street, Fresno, California
12 93721. Any objection shall state the facts and legal authorities relied upon in support
13 thereof, and shall be served on or before the same date on the following parties: (1) the
14 United States Trustee's Office; (2) TRMC; (3) TRMC's District Counsel; (4) TRMC's
15 Chapter 9 counsel; (5) the creditors holding the 20 largest unsecured claims against
16 TRMC; (6) Wilmington Trust as Indenture Trustee and Paying Agent, of certain bond
17 indebtedness of TRMC; (7) Healthcare Conglomerate Associates, LLC; and (8) any
18 other party who has filed a request for special notice with the Court. The contact
19 information for such persons may be found on the List of Twenty Largest Creditors as
20 Amended on file with the Court prior to the publication of this Notice.

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1 **HEARING ON OBJECTIONS.** If no objection is timely filed, the petition shall be
2 deemed an order for relief under Chapter 9 of the Bankruptcy Code as of September
3 30, 2017, and this notice shall be deemed notice of such order for relief. If a timely
4 objection is filed and served, a hearing will be held on January 11, 2018 at 9:30 a.m. at
5 the United States Bankruptcy Court for the Eastern District of California, Fresno
6 Division, Courtroom 13, 2500 Tulare Street, Fresno, California 93721. At such time, the
7 Court will consider setting other dates.

8 Dated: _____, 2017

WALTER WILHELM LAW GROUP,
a Professional Corporation

10 By:

11 Riley C. Walter, Attorneys for Debtor,
12 Tulare Local Healthcare District
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EXHIBIT ^B

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